

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
01/03/08  
5:30PM

ATTENDANCE: Greg Borgman, Randy Mackie, Ed Simmons, Jon Rolewicz, Nick Kroes, Kirk Kolberg, Chris Carter

ABSENT:

EXCUSED:

STAFF: Mark Kincaid, Jim Hoppus, Carmen Smith, Henry Faltinowski, Don LaBrenz, Ken Murar

GUESTS: Stacey Scheuerer(256 Iona), Chaunel Phillip-Gibson(1174 Jefferson), Student from Muskegon High School

Meeting minutes: A motion was made by Jon Rolewicz and seconded by Nick Kroes to approve the December 2007 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
Chris Carter				
Ed Simmons				
Kirk Kolberg				

Motion carried.

**DANGEROUS BUILDING REVIEW CASES:**

**EN-070211 – 256 Iona – Stacy Scheuerer, 2237 Jefferson, Muskegon, MI 49441**

Stacy Scheuerer was present to represent case.

Ms Scheuerer said she has not sold the house yet but has it listed with a realtor and has done some repairs such as fix dead bolt, repaired siding, replace glass, which she showed pictures to the board. She asked for more time to find a buyer. Ms Scheuerer said she didn't know she needed permits. Mark Kincaid recommended Ms Scheuerer schedule interior inspection. Chris Carter suggested Ms Scheuerer contact inspections and make repairs, get it off Dangerous Building list and then sell property.

Motion made by Jon Rolewicz to declare the building substandard, a public nuisance, and dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
Chris Carter				
Ed Simmons				
Kirk Kolberg				

Motion carried.

**EN-050084 1174 Jefferson – Chaunel Phillips/Gibson, 1168 Jefferson, Muskegon, MI 49441**

Mrs. Phillips-Gibson was present to represent case.

Mrs. Phillips-Gibson said she was not present for progress inspection conducted that morning but her mother and husband were there. Greg Borgman asked for staff input. Mark Kincaid said the progress inspection was conducted 01/03/07 and the mechanical which was not listed on the report was 80% completed but no permits have been issued for property. Chris Carter said the last meeting he was present the structure was on agenda and he thought Mrs. Phillips had agreed to obtain permits. Mrs. Phillips-Gibson said she did try to pull permits but she did not agree on the amount that was based on progress of structure which she said was further along so at the December meeting she was instructed to have a progress inspection so inspectors could see the progress. Chris Carter asked Mrs. Phillips-Gibson why it took from October 2007 to this meeting to get an inspection scheduled. Mrs. Phillips-Gibson said the last meeting she attended was in December 2007 and with the Holidays and vacations this was the earliest date she could get it scheduled. Nick Kroes asked if the house was occupied and Mrs. Phillips-Gibson said she lived with mother next door. Nick Kroes asked according to report and percentages listed of things yet to be done how long it would take her to complete repairs. Jon Rolewicz

said board has no jurisdiction on price of permits but ordinance does require permits be obtained and she needs to factor in cost when establishing timeline. Don LaBrenz said what he offered to do when he met with Mrs. Phillips-Gibson, being that a building contractor was involved and he couldn't give her any credit on that permit because it was issued to contractor. Don LaBrenz stated he agreed, according to rough-in inspections that were conducted which would put her at the 50% mark in project, to charge her half of the original permit fee for the balance of project. He said that was the best he could do. Nick Kroes said it sounds like the City is offering you a fair deal. Chris Carter stated Mrs. Phillips-Gibson would have to sue contractor to get funds back regarding original permit. Mrs Phillips-Gibson asked that she be given six months to complete repairs.

Chris Carter made a motion to declare the building substandard, a public nuisance, and dangerous building with a delay in sending to the City Commission until June 2008 and was seconded by Nick Kroes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
Chris Carter				
Ed Simmons				
Kirk Kolberg				

Motion carried.

**EN-070105 – 555 Amity – Joseph Anderson, 2611 Howden, Muskegon Hts., MI 49444**

No one was present to represent case.

Chris Carter made a motion to declare the building substandard, a public nuisance, and dangerous building and was seconded by Randy Mackie.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				

Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

**DANGEROUS BUILDING NEW CASES:**

**EN-070235 – 1970 Crowley – Wells Fargo Bank, 3476 State View Blvd, Fort Mill  
SC 29715**

No one was present to represent case.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

A motion was made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
Chris Carter				
Ed Simmons				
Kirk Kolberg				

Motion carried.

**OLD BUSINESS:**

Nick Kroes asked how long the structure at 143 W. Southern had been boarded up and Don LaBrenz said the deadline would be up on Saturday, January 5, 2008. Greg Borgman asked about structure at 1121 Third, if fines could be levied to encourage owner to fix up building. Don LaBrenz said right now it's cost prohibitive to demolish because the way its built and connected to other buildings Chris Carter stated that a vacant building ordinance would be in effect soon and would address that issue.

NEW BUSINESS:

**ADJOURNMENT: 6:00 PM**

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(231) 724-6705 or TDD (231) 724-6773